

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

PATRICIA KAMMEYER, et al. : **Case No. C-1-01-649**

Plaintiffs : **Spiegel, J.
Black, M.J.**

vs. :

CITY OF SHARONVILLE, et al. : **PLAINTIFFS' MOTION TO FILE
UNDER SEAL THEIR
MEMORANDUM IN**

Defendants : **OPPOSITION TO THE MOTION
TO QUASH FILED BY NON-
PARTIES MIKE ALLEN, JOHN
JAY AND TERRY GAINES**

: :

Plaintiffs respectfully request that their memorandum in opposition to the motion to quash filed by non-parties Mike Allen, John Jay, and Terry Gaines be accepted by the court for filing under seal. A hard copy of plaintiff's memorandum has been delivered to the court contemporaneous to the electronic filing of this motion. Plaintiffs request their memorandum be accepted for filing under seal upon the granting of this motion.

MEMORANDUM

This case deals with an open murder investigation. *See* Orders holding the investigation confidential, Doc. 40, 64, 79. The memorandum in opposition being filed by the plaintiffs references sealed, confidential material related to the open investigation. The use of the sealed material should be done in a manner consistent with those orders. Sealing plaintiffs' memorandum is therefore appropriate.

Respectfully submitted,

s/ Alphonse A. Gerhardstein
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Certificate of Service

I here by certify that on October 18, 2004, a copy of the foregoing pleading was filed electronically. Notice of this filing will be sent to all parties for whom counsel has entered an appearance by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

s/ Alphonse A. Gerhardstein
Alphonse A. Gerhardstein